IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

TUESDAY, THE 21ST AUGUST 2007 / 30TH SRAVANA 1929

WP(C).No. 21961 of 2007(M)

PETITIONER:

A.C.BHANUNNI @ VALLUVANATTUKARA VALLABHA VALIYA RAJA, S/O. A.C.KUNCHIKAVU THAMPURATTI, AGED 82, TRUSTEE, SREE THIRUMANDHAMKUNNU BHAGAVATHY DEVASWOM, POST BOX NO.5, ANGADIPURAM-679 321, MALAPPURAM DISTRICT.

BY ADV. SRI.K.RAMAKUMAR
SRI.R.JAYACHANDRAN

RESPONDENTS:
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1. **THE STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE DISTRICT COLLECTOR, MALAPPURAM.**

3. **THE SUPERINTENDENT OF POLICE, MALAPPURAM.**

4. **THE SUB INSPECTOR OF POLICE, PERINTHALMANNA.**

BY GOVERNMENT PLEADER SRI. SALIM .P.A.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. BALAKRISHNAN NAIR & HARUN-UL-RASHID, JJ.

W.P.(C) No.21961 of 2007 - M

Dated, this the 21st day of August, 2007

JUDGMENT

Balakrishnan Nair, J.

The petitioner is the Trustee of Sree Thirumandhamkunnu Bhagavathy Devaswom, Angadipuram, near Perinthalmanna in Malappuram District. Information has been furnished to the temple authorities by the Sub Inspector of Police, Perinthalmanna regarding intelligence reports on the plans of terrorists to target important temples like the temple managed by the petitioner. The Sub Inspector has requested the temple authorities to increase the security arrangement for the temple. He has visited the temple and gave certain suggestions also. The petitioner feels that the security guards of the temple may not be sufficient to meet the threat from the terrorists. Therefore, he has moved the District Administration and the Superintendent of Police for providing sufficient armed policemen to guard the temple. When those requests were not considered, this writ petition is filed seeking the following relief:

> "To issue a writ of mandamus or any other appropriate writ, order or direction commanding the respondents to take effective, meaningful and adequate steps to ensure the safety of Sree Thirumandhamkunnu Bhagavathy temple at Angadipuram, Malappuram District and to prevent any threat of attack from any quarters by taking such steps as are required including providing adequate security personnel around the temple."

2. Respondents Nos.3 and 4 have filed a statement stating that on inspection it was found by the Sub Inspector of Police, Perinthalmanna that

sufficient security is not provided to the temple during night time. He has asked the temple authorities to increase the security arrangement and also make provision to guard the temple and the temple premises. They also submitted that having regard to the present strength of the police available, it is not possible to send the policemen as guards for the temple. The petitioner may seek the assistance of private security guards. The police will extend all help to the temple authorities for safeguarding the temple, it is submitted.

3. The learned Government Pleader also submitted that patrolling is undertaken in the area. Frequency of the patrolling will be increased, if necessary.

4. We feel that the above stand of the police cannot be said to be unreasonable. The limited man power available with the police have to be used for various purposes. It is for the police authorities to decide how the force under them should be deployed. This court is not justified in forcing their hands. But the police shall endeavor to increase patrolling in the area having regard to the threat perception and extend all help to the temple administration to improve the security arrangements so as to ensure the safety of the temple and its devotees.

The writ petition is disposed of as above.

K. BALAKRISHNAN NAIR
JUDGE

HARUN-UL-RASHID,
JUDGE.

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